

NOV 14 2006

Serial No.: 10/763,891
Atty. Docket No.: D5396**REMARKS**

Reconsideration of this application as amended is requested. Claims 1-17 are in this application. Claims 1-5 and 9-12 are canceled. Claims 6, 13 and 14 are amended. Claims 15-17 are new.

The examiner rejected claims 1-5 as anticipated by *Bush et al.*, U.S. Pat. No. 6,199,948 under Section 102. Claims 1-5 are canceled and are no longer at issue.

The examiner rejected claim 6 as anticipated by *Bush et al.*, U.S. Pat. No. 6,199,948 under Section 102. The examiner stated that *Bush et al.* disclosed a storage system 120 mounted to the seat back by means of mechanisms 34 and 40. P. 2. The examiner also stated that *Bush et al.* discloses a seat frame 20 set in the seat back.

Bush et al., however, discloses that storage system 120 is a tote bag module containing both a tote bag 122 and an insert portion 90. Col. 5, l. 56-58. Insert portion 90 mounts within a module receiver 20 not to the seat frame. L. 18-20. Module receiver 20 is not a seat frame. Module receiver 20 permanently mounts to the seat frame 42 with attachment bracket 44. Col. 3, l. 43-46; Figs. 3-5.

Claim 6 is not anticipated by *Bush et al.* Claim 6 as amended recites "multiple tabs extending outwardly from the cabinet and engaging the seat frame". By contrast, *Bush et al.* teaches that tabs from the insert portion 90 engage the module receiver 20, not the seat frame 42. Support for the above-noted recitation is found at ¶ [0023] of the specification. Claim 6 as amended, as well as claims 7-8 and claim 15 based on their dependency on claim 6, therefore distinguish patentably from *Bush et al.*

Serial No.: 10/763,891
Atty. Docket No.: D5396

The examiner rejected claims 9-14 as anticipated by *Bush et al.*, U.S. Pat. No. 6,199,948 under Section 102. For claims 9, 10 and 12, the examiner stated that Bush disclosed "a mounting mechanism (items 34, 40, 82, and 84) on storage unit 120, which is releasably secured to the seat frame by handle 38".

Contrary to the examiner's statement, *Bush et al.* does not disclose a mounting mechanism to releasably secure the storage unit to the seat frame. *Bush et al.* discloses releasably securing a storage unit to the permanently mounted module receiver 20. The module receiver 20 secures to the seat frame with attachment bracket 44. Col. 3, l. 43-46; Figs. 3-5. If module receiver 20 is not permanently secured, removing 20 would either leave a gaping hole in the seat back or the attachment brackets 44 would stick out of the back of the seat.

Bush et al. further discloses release handle 38 connects to latches 40 as part of the latch assembly 36 in the permanently mounted module receiver 20, not in storage system 120. Col. 3, l. 37-38; Fig. 1. Aperture 34 is also in the wall of module receiver 20 and engages projection 82. Col. 4, l. 50-53; Figs. 1-2. A formation 84 on the bottom of insert portion 90 engages latch 34 of module receiver 20, not the seat frame 42.

Claims 9-12 are canceled and are no longer at issue.

New claim 16 is not anticipated by *Bush et al.* New claim 16 recites "multiple receivers attaching to the seat frame" and "multiple tongues extending outwardly from the inner wall, each tongue releasably and matingly engaging one of the receivers". *Bush et al.*, however, teaches a module receiver 20 which attaches to the seat frame 42

NOV 14 2006

Serial No.: 10/763,891
Atty. Docket No.: D5396

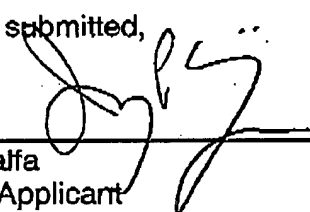
with mounting brackets 44. Furthermore, insert portion 90 attaches to module receiver 20 at the top and bottom, not with multiple tongues extending outwardly from the inner wall and releasably and matingly engaging one of the receivers. Figs. Support for the above-noted recitation is found at ¶ [0023] of the specification. Claim 16 and claims 13-14, and 17 based on their dependency on claim 16 therefore distinguish patentably from *Bush et al.*

CONCLUSION

The prior art made of record and not relied upon is not considered pertinent to Applicant's disclosure.

Applicant believes the Claims as amended, or newly submitted, are in condition for allowance and respectfully requests favorable action by the Examiner.

Respectfully submitted,

Date: November 8, 2006
Warrenville, IL 60555
Tel. No. 630/753-3023

Jeffrey P. Calfa
Attorney for Applicant
Reg. No. 37,105

Serial No.: 10/763,891
Atty. Docket No.: D5396

CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8

I hereby certify that this **AMENDMENT UNDER 37 C.F.R. 1.111** is being facsimile transmitted to the Patent and Trademark Office on or before 11/14/06 to (571) 273-8300.

Date:

11/14/06


Catherine M. Majewski

NOV. 14. 2006 3:29PM

LAW DEPARTMENT

RECEIVED
CENTRAL FAX CENTER

NO. 623 P. 10

NOV 14 2006

Serial No.: 10/763,891
Atty. Docket No.: D5396

CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8

I hereby certify that this **PETITION FOR EXTENSION OF TIME** is being facsimile transmitted to the Patent and Trademark Office on or before 11/14/06 to (571) 273-8300.

Date:

11/14/06


Catherine M. Majewski